

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JASON LEE VAN DYKE

V.

THOMAS RETZLAFF, a/k/a DEAN
ANDERSON, d/b/a VIA VIEW FILES LLC,
and VIA VIEW FILES

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Civil Action No. 4:20-mc-91
Judge Mazzant

ORDER

Pending before the Court are Nonparty United States of America's Motion to Quash Subpoena (Dkt. #27) and Defendant Thomas C. Retzlaff's Motion to Strike (Dkt. #31).¹ On July 7, 2020, the United States of America filed its Motion to Quash Subpoena (Dkt. #27). On July 21, 2020, Retzlaff filed his Response in Opposition to the Motion to Quash Subpoena (Dkt. #28). On July 22, 2020, the United States of America filed its Reply to Retzlaff's Response in Opposition to the Motion to Quash Subpoena (Dkt. #29). On July 24, 2020, Nonparty James McGibney filed his Brief in Support of the Motion to Quash Subpoena (Dkt. #30). On July 28, 2020, Retzlaff filed his Motion to Strike McGibney's Brief in Support of the Motion to Quash Subpoena (Dkt. #31).

On November 9, 2020, the Court dismissed the main civil action without prejudice. *See* Mem. Op. & Order, *Van Dyke v. Retzlaff*, No. 4:18-cv-247, (E.D. Tex. Nov. 9, 2020), ECF. No. 228. It is therefore **ORDERED** that Nonparty United States of America's Motion to Quash Subpoena (Dkt. #27) and Defendant Thomas C. Retzlaff's Motion to Strike (Dkt. #31) are hereby **DENIED as moot**.

IT IS SO ORDERED.

¹ These Motions are ancillary to the main action formerly before the Court. See *Van Dyke v. Retzlaff*, No. 4:18-cv-247.

SIGNED this 9th day of November, 2020.



Amos L. Mazzant
AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE